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09/865,534	05/29/2001	Terho Kaikuranta	017.40106X00	4327

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EXAMINER

GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/865,534

Applicant(s)

KAIKURANTA ET AL.

Examiner

Tilahun B Gesesse

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 5 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-15 and 17-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/7/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This is in response to applicant's amendment and argument filed June 14, 2004 and 10/14/04 which claims 1-4,6-15,17-26 are pending.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4,6-7,10-15,17-18,21-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaschke (US 5,542,016).

Claim 1, Kaschke discloses a decorative cover (figures 9-12), a cover member (209-1008) having an inner surface and an outer surface (column 6, lines 49-59 and figure 9), an optical fiber member (611 and 613) having an input end (204) and having a side surface adapted to transmit light there through (see figures 2 and 9), and a light source(203) adjacent the input end (204)of the optical fiber member (200 of figure 2) to emit light from the light source to the optical fiber member for transmission from the side surface of said optical fiber member along the length thereof (column 2, line 55-column 5, line and figures 2-5), and the optical fiber member (figures 2-6) is the out in a pattern cooperating with the cover member to cause light to be visible through the side surface through the outer surface of said cover member along a length of said optical fiber in the pattern when said light source is emitting light ((column 2, line 55-column 5, line and figures 2-5 and 9-12).

Claim 2, Kaschke discloses the optical fiber member is adhered to the outer surface of said cover member (figures 2-4 and 9-12).

Claim 3, Kaschke discloses optical fiber member is embedded in the cover member (figures 2 and 9-12).

Claim 4, Kaschke the optical fiber member is adhered to the inner surface of said cover member (figures 2-4,9-12).

Claim 6. Kaschke discloses the optical fiber member comprises an optical fiber thread (see figure 2).

Claim 7, Kaschke discloses the optical fiber member comprises an optical fiber panel (figures 3-4, 9-12).

Claim 10, the light source comprises a light emitting diode (column 3, lines 20-23).

Claim 11, Kaschke discloses the light source is positioned on the cover member (figures 9-12).

Claim 12, Kaschke discloses a telephone (figure 6), a first cover member (611 of figure 9), a second cover member (613 of figure 6) cooperating with said first cover member to define a telephone interior, and telephone components within the telephone interior and operable to permit telephonic messaging (display and keypad), an optical fiber member having an input end and having a side surface adapted to transmit light there through (column 5, line 60-column 6, line 28), and a light source (203) adjacent the input end (204) of the optical fiber member (200) to emit light from the light source to the optical fiber member for transmission from the side surface of the optical fiber m

Art Unit: 2684

ember; and the optical fiber member laid out in a pattern cooperating with one of the cover members to cause light to be visible through the side surface through the outer surface along a length of said optical fiber thereof in the pattern when said light source is transmitting light (column 5, line 60-column 6, lines 28 and column 6, lines 49- column 7 line 51 and figures 2-4,6,9-12).

Claim 13, Kaschke discloses the optical fiber member is adhered to an outer surface of said one of said cover members (figure 2 and 9-12).

Claim 14, Kaschke discloses the optical fiber member is embedded in the one of the cover members (figures 9-12).

Claim 15, Kaschke discloses the optical fiber member is adhered to an inner surface of said one of said cover members.

Claims 17-18, 22, Kaschke discloses the optical fiber member comprises an optical fiber thread (200 of figure 2).

Claim 21, Kaschke discloses the light source comprises a light emitting diode (column 3, lines 20-23).

.Claims 23-24, Kaschke discloses a mounting board within the telephone interior, the telephone components are mounted on said mounting board (200 of figure 2), the light source (203) is mounted on said mounting board (figures 9-12), and the light source comprises a light emitting member and a light guide to couple light from said light emitting member to said optical fiber member (figures 9-12 and column 6, line 59- column 7, 51).

Claims 25-26, Kaschke discloses a decorative cover, (200 of figure 2)' a cover member (209 of figure 9) having an inner surface and an outer surface (figure 9 and column 6, lines 49-58), an optical fiber member having an input end (204) and having a side surface adapted to transmit light therethrough (figures 3-4), and a light source (203) adjacent the input end (204) of the optical fiber member to emit light from the light source to the optical fiber member for transmission from the side surface of the optical fiber member along the length thereof (figures 3-4), and wherein said optical fiber member is molded with said cover member and is laid out in a pattern to cause light to be visible through the side surface through the outer surface of said cover member along a length of said optical fiber in the pattern when said light source is emitting light (200 of figures 2 and 9-12 and column 6 line 49-column 7, line 51).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-9 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaschke in view of Stevenson (6,399,903).

Claims 8-9, 19-20, Kaschke does not disclose a plurality of light emitting devices, each adapted to emit light of a different color. However, Stevenson discloses a transparent area to cover the screen printed with color or decoration (column 5, lines 32-36 and column 5, line 59-63). It would have been obvious to a person of ordinary

Art Unit: 2684

skill in the art at the time of invention was made to adapt light emit optical fiber of different color, as taught by Stevenson, in order to attract user and to have visibility in dark places.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-4,6-15,17-24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any ~~extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of~~ the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.

Art Unit: 2684

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Tilahun Gesesse*  
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TILAHUN GESSESSE  
PATENT EXAMINER

October 25, 2004